IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 22251 of 2004

Between:

M.Nagore,

S/o.Chinnabba,
R/o.Marathi Gate (V),

Near: Puttur Town, Puttur Mandal,
Chittoor District.

..... PETITIONER

AND

1. The Govt. of A.P., rep. by its Secretary, Environment &

Human Resource Dept., Secretariat, Hyderabad.
2 The Member Secretary, Andhra Pradesh Pollution Control

Board, HUDA Complex, Ameerpet, Hyderabad.
3 The Environmental Engineer, Regional Pollution Control

Board, Narasimha Theerdham, Tirupathi.
4 The Managing Director, Pioneer Spinning Mills, Puttur,

Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus questioning the action of the respondents
1 to 3 in not taking any action against the 4th respondent for controlling the sound pollution as per the orders of the this Hon'ble court passed in W.P.No.25513/1996 dt.24-12-1997 as highly illegal arbitrary and consequently direct the respondents to take action for reducing the sound pollution from the Exhaust fans and Generators.

Counsel for the Petitioner :Sri N.M.Krishnaiah

Counsel for the Respondent No.1 : Govt. Pleader for Environment

Counsel for the Respondent Nos.2 to 4: Sri S.V.Bhatt, S.C. for A.P.C.B.

The Court made the following :

.

ORDER: (Per Hon'ble the Chief Justice)

For similar relief, petitioner had earlier filed

Writ Petition No.25513 of 1996, which was decided on

24-12-1997. Grievance of the petitioner is that order in writ petition has not been complied with by respondents. In case order has not been complied with by respondents, it will be open to the petitioner to take out appropriate proceedings in accordance with law. Filing of fresh writ petition is totally misconceived.

Writ Petition is dismissed.

DEVINDER GUPTA, C.J.

M.NARAYANA REDDY, J

10-12-2004

bsc

To

1. The Secretary, Environment &

Human Resource Dept., Govt. of A.P., Secretariat, Hyderabad.
2. The Member Secretary, Andhra Pradesh Pollution Control

Board, HUDA Complex, Ameerpet, Hyderabad.
3. The Environmental Engineer, Regional Pollution Control

Board, Narasimha Theerdham, Tirupathi.
4. 2 CCs to Govt. Pleader for Environment, High Court buildings,

Hyderabad (OUT)

5. 2 C.D. copies